

1906-634
Lee Co.

Chancery Causes: Nancy E. Mideham vs. Josephus Crabbe &c

Hobbs, Munsey, Haylewood, Lyons, Blankenship, Street, Russell,
Cawood, Howard, Hickam, Graybeal, Eversole, Hamilton, Ritchie //

CA-Estate Dispute
T-Property

To the Honorable H.A.W.Skeen, Judge of the Circuit Court of
Lee County Virginia:

Humbly complaining, your complainant, Nancy E. Mileham would respectfully represent and show unto your honor that she is a daughter of the late Jacob Graybeel dec. that her said Father in his life time owned considerable real estate situated in Lee County Va. about ten miles West of Jonesville, that her said Father in his life time deeded all the real estate which he owned to his son Josephus Graybeel and his daughters, your Complainant, Catharine Munsey, Jane Russell, and Martha Hobbs; that during the life time of all of them, all the aforesaid real estate was partitioned among those entitled thereto, except about eleven acres situated on the South side of the Poor valley Ridge, and bounded on the South by the lands of H.E. Edds, James Morgan and Alex. Ingle; and on the North by the land of Wm. Ingle Andy Ingle and Luke Irvin, on the East by A.J. Myers and on the West by F.A. Munsey; this tract of land owned by Jacob Graybeel at the time of his death has never been partitioned. Your complainant alleges that it is not preticable for ti~~to~~ to be ~~divided~~, but that it should be sold.

Your complainant would further show your honor that her said Father died on the ____ day of ____ 18--leaving the aforesaid children and heirs at law: that Cathrine Munsey died on the ____ day of ____ 18__ leaving the following children and heirs at law to wit; Robert Munsey J.G. Munsey J.F. Munsey, M.E. Hazlewood, S.O. Blankenship, Louis~~a~~ Blankenship Mollie Lyons, Hannah Street, who died, leaving Sheridan Street an infant; that on the ____ day ____ of ____ 18__ Jane Russell died leaving the following Children and heirs at law, J.M. Russell, C.C. Russell, Sarah Cawood, who died leaving, Bass Cawood, J.C. Cawood; and Ellen Hickam who died leaving Dudley and Tamey Hickam, children and heirs at law; that on the ____ day of ____ 1906 Josephus Graybeel died leaving the following children and heirs at law; to wit ; M.D.L. Graybeel, J.W.M. Graybeel, a nonresident B.C. Graybeel, T.B. Graybeel, Jennie Eversole, a nonresident, Thadeus Graybeel, Cora Hamilton, a nonresident, Darby Ritchie, a non resident, Leona Graybeel, Curry Graybeel, Elmer Graybeel, the last three which are infants.

The object therefore of this bill is to have the aforesaid

tract of land sold, and the proceeds divided among those entitled th
thereto, and to that end your complainant prays; that the said Martha
Hobbs, Robert Munsey, J.G. Munsey, J.F. Munsey, M.E. Hazlewood, S.O. Blankenship²
Louisa Blankenship, Mollie Lyons, Sheridan Street, J.M. Russell, C.C. Russell
, Bass Cawood, J.C. Cawood, Dudley Hickam, Tamy Hickam, M.D.L. Graybeel,
J.W.M. Graybeel, B.C. Graybeel, T.B. Graybeel, Jennie Eversole, Thadeus
Graybeel, Cora Hamilton, Darby Ritchie, Leona Graybeel, Curry Graybeel,
and Elmer Graybeel, be made party defendants ^{to this bill} and answer the same but
not on oath, that being waived, that order of publication be posted
and published against the nonresident defendants, and a proper guardian
ad litem be assigned to defend for the infant defendants; that a de-
creree be rendered to sell the said tract of land and proceeds
divided among those entitled thereto, and for all other and proper
relief generally; that the equity of her case requires or to equity
seem meet and she will ever pray &c.

M. G. Ely. Jr. g-

Costs:

P. Clerk \$8.72
\$100, paid to m. Shff. 4.00
P. atty. 15.00
P. Printer 6.00
Estimates 5.00
\$38.72
G.A.L. 5.00
Decd 5.00
\$48.72

Nancy E. Milham

W³⁴
33 Bill in Chancery
33

Martha Hobbs and others

Sold July 7-1906 to
N.E. Elds for \$600⁰⁰

Nancy E. Milham Plaintiff.
against ~~EE~~ In Chancery —
Martha Hobbs Ed others, Defendants.

This cause came on this day to be heard upon the papers formerly read in the cause, the report of sale by Commissioner M. G. Ely, and was argued by counsel,

On consideration of which said report being unexcepted to, the same is approved and confirmed, and said Commissioner will distribute the costs in his hands to the parties entitled thereto, and proceed to collect the residue of the purchase money, and when paid M. G. Ely is hereby appointed a commissioner to make, execute and deliver to the purchaser a deed of special warranty to the land purchased by him in this cause, and said purchase money being fully paid, and said commissioner having made and executed said deed, and filed the same in this cause having been seen and inspected by the Court is approved and confirmed, the purchaser may withdraw the same for recordation, by paying to said Commissioner the sum of \$500 for executing the same, and he will distribute the fund in his hands to the parties entitled and the cause is stricken from the docket,

Nancy E. Muleham Piff-
vs. E. E. Deere -
Mortimer Hobbs. & others
 Deft.

Entered in C.C.B.
#8, page 202-

Enter this

Hawson

Sept. 18 - 1906 -

Nancy E. Milham, Deff.

against $\frac{2}{3}$ In Chancery -

Martha ~~Stodd~~ Hobbs. et al. Defts

This cause came on this day to be heard upon the bill of Plaintiff, the answer of the infant defendants by their Guardian ad Litem, duly sworn to and general replication thereto and was argued by Counsel.

On consideration of which, the order of publication having been duly posted and published against the non resident defendants, and process duly executed against the adult defendants, and they failing to appear, answer, plead and demur, the bill as to them is taken for confessed, and the Court being of opinion that it is not practicable to partition said land it is adjudged ordered and decreed that M. H. Ely who is hereby appointed a commissioner for the purpose, will advertise and sell the tract of land described in the said bill at the front door of the Court house of Lee County, after having advertised the same for 30 days by notices posted at the front door of the Court house and in the vicinity of said land, said sale shall be on a credit of one and two years except cost of suit and commission of sale, which will be required paid cash in hand, and for defunct

payments take notes payable to himself with
good personal security bearing interest
from date, but before said commission
acts hereunder he will execute bond
before the clerk of the court in the
sum of \$100. conditional according to
law and he will report to court and
the cause is continued

Nancy E. Mulepans Poff,
vs. ^{Ex} ^{Deer}
Muther Hobbs and others

Entered in C.C.B.
#8, Page 154.

Enter this

H.A.W. Stone

May. 22 - 1906

7/25/06.

To the Hon. H.A.W.Skeen Judge of the Circuit Court of Lee Co.Va.;-

Your undersigned Commission^{er} begs to report that pursuant to a decree entered in the Chancery cause of Nancy E.Mileham, against Martha E.Hobbs and others, entered at the last term of your honor's Court, that he on the 7th day of July, 1906, sold the land described in the said bill, at the front door of the Court house of Lee County, to the highest and best bidder, at which sale, H.E.Edds became the purchaser, at the price of sixty dollars, (\$60.00) said purchaser paid your Commission, \$46.72, costs and Commission and executed his note for the remainder, bearing interest from date.

Your Commission^{er} considers, that he made a good sale of said tract of land, said purchaser expressed a desire to pay all of purchase money at once and receive a deed, all of which your Commission^{er} recommends.

Respectfully, Submitted,

M. G. Ely,

Special Commissioner

Nancy E. Milham
vs. Report of sale,
Martha Hobbs Adair

Filed July 25, 1906
H. B. Stewing,
clerk

Nancy E. Mikhman

Nancy E.

Land Sale.

Mikhman

Nancy E. Mikhman

Martha E. Hobbs

vs.

IN CHANCERY.

Pursuant to decree of the Circuit Court of Lee County, Virginia, at the May term, 1906, in the above styled cause, the undersigned will, at public outcry, at the front door of the Courthouse of said county, on the 7th day of the July term, 1906, of the County Court of said county, proceed to sell, to the highest and best bidder, on a credit of one and two years - time, except so much as may be necessary to pay the cost of suit and expense of sale (which are required to be paid in hand), the following described property: to wit, a tract of land containing about 10 acres situated in Lee County along top and South side of Poor valley ridge, being a small strip belonging to the estate of Jacob Grayhulder for a more particular description see title papers -

Bonds with good and approved personal security will be required of the purchaser for the deferred payments. This 5 day of July, 1906

M. S. Ewing

Commissioner.

The Bond required by Law has been given.

M. S. Ewing, Clerk.

Sold to H. E. Edds.
#60. ⁰⁰

$$\begin{array}{r} 43.72 \\ 3 \\ \hline 46.72 \end{array} \quad \begin{array}{r} 60 \\ 46.72 \\ \hline 13.28 \end{array}$$

also here

In the Clerk's Office of the Circuit Court of the County
Lee

Nancy E. Milham

Plaintiff

against

Josephus Gabriel, et al.,

Defendant S.

This day

M. G. Ely

personally appeared

before me

H. C. T. Ewing

Clerk of the said Court,

and being duly sworn, made oath that

M. E. Hazlewood, Robert Munsy, Mollie
Lyons, Louisa Blankenship, Sheridan Strut, S. O. Blankenship, Bass
Cawood and Nan Howard

defendants in the said suit are not residents of the State of Virginia,

Given under my hand as Clerk of the said Court, this 27 day of March, 1906,

H. C. T. Ewing, Clerk.

Nancy E. Milhau

vs. }

AFFIDAVIT FOR ORDER
OF
PUBLICATION.

Josephus Grabel, et al,

M. G. Ely

p. q.

In the Clerk's Office of the Circuit Court of the county of Lee, on the 21st
day of March, 1906,

Nancy E. Milham

against

Plaintiff

In Chancery

Josephus Grabel, et al,

Defendants

The object of this suit is to sell a tract of land containing 11 acres,
situated on South side of Poor Valley Ridge, owned
by Jacob Grabel, dec'd, in his life time, and to
distribute proceeds among those entitled thereto.

And an affidavit having been made and filed that the defendants W. H. Hazlewood, Robert Munsey,
Mollie Lyons, Louisa Blankenship, Sheridan Street, S. C. Blankenship,
Bess Caldwell and Nan Howard are
not residents of the State of Virginia, it is ordered that they do appear here within 15 days
after due publication hereof, and do what may be necessary to protect their interest in this suit. And it is
further ordered that a copy hereof be published once a week for four weeks in the Jonesville
Star and that a copy be posted at the front door of the Courthouse of this county as prescribed
by law.

A copy—Teste:

M. G. Ely,

p. q.

J. H. Ewing,

Clerk.

Nancy E. Milham

vs.

ORDER OF
PUBLICATION

Josephus Grabel, et al.

Virginia, Lee County, to-wit:

I, H. C. Ewing, Clerk of the
Circuit Court for the County
aforesaid, in the State of
Virginia, do certify that I
posted a true copy of the
within order of publication
at the front door of the
Court-house ^{of this County,} on this day.

Given under my hand,
This the 21st day of March,
1906,

H. C. Ewing, Clerk.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

Josephus Grabel, Martha Stoltz, J. G. Muncy, J. F. Muncy, M. E. Hazlewood, Robert Muncy, Mollie Lyons, Letitia Haukuship, Sheridan Street, S. C. Haukuship, J. M. Russell, C. C. Russell, Bats Cawood, Nat Howard, J. C. Cawood, Dudley Hickam and Tony Hickam
to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the *3rd*, Monday in *April*, 190*6*, to answer a bill in chancery exhibited against *them* by *Nancy E. Mileham*,

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *21*" day of *March*, 190*6*, and *130*" year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk.

H. C. T. Ewing, Clerk.

VS

}

SUBPŒNA
IN
CHANCERY.

-----p. q

To-----Rules.

-----Court.

For
Josephus Graval

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

Josephus Grubbs, Martha Solbs, J. G. Muncy, J. F. Muncy, W. E. Hazlewood, Robert Muncy, Mollie Lyons, Louisa Blankenship, Sheridan Street, S. C. Blankenship, J. M. Russell, C. C. Russell, Bass Cawood, Nan Howard, J. L. Cawood, Dudley Hickam and Tomy Hickam.

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on

the *3rd* Monday in *April*, 190*6*, to answer a bill in chancery exhibited against *Them*
by Nancy E. Milham

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *21*st
day of *March*, 190*6*, and 1*30*th year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk.

_____, Clerk.

Nancy E. Milham

VS

SUBPENA
IN
CHANCERY.

Josephus Grabel, et al.

M. G. Ely p. q

To 2nd April Rules.

Lee Circuit Court.
1906.

Executed by delivering a
true copy of writing procured
to all the parties after 4 p.m.
Josephus Grabel, et al.
6-1906- to C. C. Phelps D.S.
for R. M. Ball.

Executed by delivering a true
copy of the within with the
Martha Hobbs, Clerk

Executed by delivering a true copy
of the within to D. E. Milham and
Josephus Grabel, this April 2, 1906.

D. E. Milham

D. S. Phelps

R. M. Ball, D. S.

The Commonwealth of Virginia,

To the Sheriff of the County of ^{Wise} Lee, Greeting:

WE COMMAND YOU, That you summon

Josephus Grabel, Martha Grabel, J. G. Munsey, J. F. Munsey, W. E. Hazlewood, Robert Munsey, Mollie Lyons, Louisa Blankenship, Sheridan Street, J. O. Blankenship, J. M. Russell, C. C. Russell, Bass Cawood, Nan Howard, Cawood, Dudley Hickam and Tony Hickam

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 3rd Monday in April, 1906, to answer a bill in chancery exhibited against them

by Nancy E. Milham,

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 21st day of March, 1906, and 13th year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk.

_____, Clerk.

Nancy E. Milhane

VS

}

SUBPOENA
IN
CHANCERY.

Josephus Grubbs et al

M. G. Ely

p. q

To 2nd April

Rules.

Luc Circuit

Court.

1906.

executed on the 10th day of
April 1906 By Delivering 2nd
copy of the within summons
to J. G. Money in person in
Wise County Va. E. Barton SS
for E. J. Kiser S.W.C

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon M. D. L. Grabel, J. W. M. Grabel,
B. G. Grabel, L. B. Grabel, Jennie Eversole, Thad Grabel
Cora. Hamilton, Darby Ritchie, Lora Grabel -
Bunny, Grabel, Elmer, Grabel -

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the 3rd Monday in April, 1906, to answer a bill in chancery exhibited against by
Nancy E. Williams.

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 6th
day of April, 1906, and 120 year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk.

_____, Clerk.

IN BUSINESS
Inveigle, to avoid the
private matter of any
subject to the court
Nancy E. Melham

VS

SUBPENA
IN
CHANCERY.

Josephus. Haybell et al

We the undersigned
accept legal service
of within powers this
April 6-1906 — p. q

To J. B. Grabel Rules.
B. C. Grabel.
Leona Grabel. Court.
Thad Grabel.

H. D. L. Grabel.

Order of Publication

In the Clerk's Office of the Circuit Court
of the county of Lee on the 21st day
of March, 1906.

NANCY E. MILEHAM, Plaintiff,
against

JOSEPHUS GRABEEL, et al, Defend-
ants

In chancery.

This- The object of this suit is to sell a tract
of land containing 11 acres, situated on
South side of Poor Valley Ridge, owned
by Jacob Grabeel, dec'd, in his life time,
and to distribute proceeds among those
entitled thereto. And an affidavit hav-
ing been made and filed that the defend-
ants M. E. Hazlewood, Robert Munsey,
Mollie Lyons, Louisa Blankenship, Sher-
idan Street, S. O. Blankenship, Bass Ca-
wood and Nan Howard are not residents
of the State of Virginia, it is ordered
that they do appear here within 15 days
after due publication hereof, and do
what may be necessary to protect their
interest in this suit. And it is further
ordered that a copy hereof be published
once a week for four weeks in the Jones-
ville Star and that a copy be posted at
the front door of the Courthouse of this
county as prescribed by law.

A copy--Test:

H. C. T. EWING, Clerk.

M. G. ELY, p. q.

Nancy E. Mileham-----

vs { In Chancery-----

Josephus Grabeel-----

§

I, J. C. Boatright-----, editor
of The Jonesville Star, a weekly newspaper
published in the county of Lee, state of Virginia,
do hereby certify that the enclosed notice was
published in said paper once a week for four
successive weeks, commencing on the 15-----
day of March-----1906-----

-----, Editor.

FEE \$6.00-----